

1 Christopher M. Curran (*pro hac vice*)

2 ccurran@whitecase.com

3 Lucius B. Lau (*pro hac vice*)

4 alau@whitecase.com

5 Dana E. Foster (*pro hac vice*)

6 defoster@whitecase.com

7 White & Case LLP

8 701 Thirteenth Street, N.W.

9 Washington, DC 20005

10 Telephone: (202) 626-3600

11 Facsimile: (202) 639-9355

12 *Counsel to Defendants Toshiba Corporation,*

13 *Toshiba America, Inc., Toshiba America*

14 *Information Systems, Inc., and Toshiba*

15 *America Electronic Components, Inc.*

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 (SAN FRANCISCO DIVISION)

19 IN RE: CATHODE RAY TUBE (CRT)
20 ANTITRUST LITIGATION

Case No. 07-5944 JST
MDL No. 1917

21 This Document Relates to Case No. 13-cv-
22 1173-JST (N.D. Cal.)

23 SHARP ELECTRONICS CORPORATION;
24 SHARP ELECTRONICS
25 MANUFACTURING COMPANY OF
26 AMERICA, INC.,

27 *Plaintiffs,*

28 v.

HITACHI, LTD., *et al.*,

Defendants.

**DECLARATION OF LUCIUS B.
LAU IN SUPPORT OF TOSHIBA'S
ADMINISTRATIVE MOTION
FOR LEAVE TO FILE MOTION
TO DISMISS SHARP'S SECOND
AMENDED COMPLAINT BASED
ON A FORUM-SELECTION
CLAUSE**

1 I, Lucius B. Lau, hereby declare as follows:

2 1. I am an attorney with the law firm of White & Case LLP, counsel for
3 Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Information
4 Systems, Inc., and Toshiba America Electronic Components, Inc. (collectively, the "Toshiba
5 Defendants").

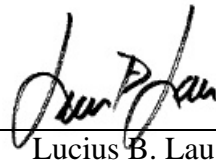
6 2. I submit this declaration in support of Toshiba's Administrative Motion for
7 Leave to File Motion to Dismiss Sharp's Second Amended Complaint Based on Based on a
8 Forum-Selection Clause. I have personal knowledge of the facts stated herein, and I could
9 and would competently testify thereto if called as a witness.

10 3. On April 8, 2016, pursuant to Civil L.R. 7-11(a), I had a telephonic meet and
11 confer with Craig Benson, counsel for Sharp Electronics Corporation and Sharp Electronics
12 Manufacturing Company of America, Inc. (collectively, "Sharp"). During that call, I
13 explained to Mr. Benson that, on April 12, 2016, the Toshiba Defendants intended to file a
14 motion with the Court seeking leave to file a motion that would seek the dismissal of Sharp's
15 remaining claim against the Toshiba Defendants (*i.e.*, the joint-and-several claim). I further
16 explained that, in ruling on such a motion, the Court might have to reconsider some of the
17 conclusions made by Judge Conti, but that the governing caselaw permitted such a result.

18 4. On April 12, 2016, I received an email from Mr. Benson. In that email, Mr.
19 Benson stated that the Sharp Plaintiffs would not agree to any reconsideration of Judge
20 Conti's ruling with respect to joint-and-several liability.

21 I declare under penalty of perjury under the laws of the United States of America that
22 the foregoing is true and correct.

23
24 Executed this 12th day of April, 2016, in Washington, D.C.

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28 
Lucius B. Lau